

UNITED STATES DISTRICT COURT

Southern

District of

New York

BODEGA INVESTMENTS, LLC, By And Through  
LOUIS P. KREISBERG, Its Tax Matters Partner

SUMMONS IN A CIVIL ACTION

v.

UNITED STATES OF AMERICA

CASE NUMBER:

08 CV 4065  
Judge Herman

TO: (Name and address of Defendant)

Commissioner of Internal Revenue  
c/o Office of Chief Counsel  
Internal Revenue Service  
Washington, DC 20224

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kostelanetz & Fink, LLP  
7 World Trade Center  
New York, New York 10007  
Attn: Brian C. Wille

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 30 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	4/30/2008
NAME OF SERVER (PRINT) Christopher M. Ferguson	TITLE	Attorney

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served:
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- Returned unexecuted:
- Other (specify):

Service on the United States of America was effected by serving the Commissioner of Internal Revenue, c/o the Office of Chief Counsel by Certified Mail to the address on the Summons pursuant to FRCP 4(i)(1)(C)

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
		\$0.00

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 5/7/2008  
Date

*Signature of Server*

Kostelanetz & Fink, LLP  
7 World Trade Center, New York, New York 10007  
*Address of Server*



(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.